IN THE UNITES STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

| ALBERT BENDER, |) | |
|---|---|---------------|
| |) | |
| Plaintiff, |) | |
| v. |) | No. 3:05-0402 |
| |) | Judge Trauger |
| HAROLD FEENER, individually and in his |) | |
| official capacity as an officer of the Civil Design |) | |
| Group, THOMAS V. WHITE, |) | |
| SALETTA HOLLOWAY, TOMMY BRADLEY |) | |
| and CIVIL DESIGN GROUP, |) | |
| |) | |
| Defendants. |) | |
| | | |

<u>ORDER</u>

On June 10, 2005, the Magistrate Judge issued a Report and Recommendation, recommending that this case be dismissed. (Docket No. 6) No timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court.

For the reasons expressed therein, it is hereby **ORDERED** that this case is **DISMISSED** under 28 U.S.C. § 1915(e)(2)(B) for failure to state an arguable legal claim.

It is so **ORDERED.**

Enter this 5th day of July 2005.

ALETA A. TRAUGER U.S. District Judge

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